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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|--|-------------|----------------------|---------------------------------|-----------------------------|
| 10/714,813   | 11/17/2003  | Krzysztof Bilinski   | LHUD-04801-UUS                  | 2165                        |
| 33794  | 7590        | 05/11/2009           |                                 |                             |
| MATTHIAS SCHOLL<br>14781 MEMORIAL DRIVE<br>SUITE 1319<br>HOUSTON, TX 77079 |             |                      | EXAMINER<br>ARMOURCHE, HADI S   |                             |
|  |             |                      | ART UNIT<br>2432                | PAPER NUMBER                |
|  |             |                      | NOTIFICATION DATE<br>05/11/2009 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTORECEIPT@GMAIL.COM  
IPRECEIPT@GMAIL.COM

### Office Action Summary

**Application No.**

10/714,813

**Applicant(s)**

BILINSKI ET AL.

**Examiner**

HADI ARMOUCHE

**Art Unit**

2432

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2009.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.  
4a) Of the above claim(s) 1 and 2 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 3-7 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 11/17/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 01/07/2005  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of group 2 (claims 3-7) in the reply filed on 04/26/2009 is acknowledged.

### ***Specification***

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because it exceeds 150 words (currently 176 words) and uses legal phraseology (comprising, comprises). Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities:
  - The specification pages 6 through page 10 have all the figure references underlined which suggests that the references are to be deleted per 37CFR 1.121. It is suggested to resubmit pages 6 through 10 with the figure references not underlined and showing where the amendment to the specification occurred.

- The specification page 8 refers to the data bus and the RAM type of figure 2A by 207A. See below drawing objection for further details. Appropriate correction is required.

### ***Drawings***

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- Figure 2A shows that the data bus is 205A whereas the specification page 8 refers to it by 207A
- Figure 2A shows that the external ROM is 206A whereas the specification page 8 refers to it by 206.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 3-7 are rejected under 35 U.S.C. 102(a) as being anticipated by Seo et al. (US 2003/0147628) referred to hereinafter by Seo.

9. Regarding claim 3, Seo teaches *a method of protecting audio/video data in a processor for processing audio/video data, transmitted between the broadcaster and the receiver, with the use of a security tag, by which the selected data streams are tagged [abstract], the method comprising the steps of:*

*checking in the data flow controller of the processor if the received audio/video stream contains a security tag [additional tag field: abstract, paragraphs 6 and 41 and Figure 1, Figure 3 element FT];*

*depending on the status of the tag, allowing the audio/video data stream to be recorded only in the internal memory of the processor or allowing the audio/video data stream to be recorded either in the internal memory of the processor [storing the data in the memory: paragraphs 0025 and 74 and figure 2 elements 215, 217] or external memory module, coupled with the processor via an external memory interface built in the processor.*

10. Regarding claims 4 and 5, Seo teaches *the steps of in the event of lack of the security tag in the processed audio/video data stream, allowing the audio/video data stream to be recorded in the internal memory module* [Figure 2 elements 215 and 217].
11. Regarding claim 6, Seo teaches the steps of in the event of presence and active state of the security tag in the processed audio/video data stream, allowing the audio/video data stream to be recorded only in the internal memory module [Figure 2 elements 215 and 217].
12. Regarding claim 7, Seo teaches *the steps of in the event of the presence and inactive state of the security tag in the processed audio/video data stream, allowing the audio/video data stream to be recorded either in the internal memory module* [Figure 2 elements 215 and 217] *or in the external memory module*.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HADI ARMOUCHE whose telephone number is (571)270-3618. The examiner can normally be reached on M-Th 7:30-5:00 and Fridays half day.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. A./  
HADI ARMOUCHE  
Examiner, Art Unit 2432

/Gilberto Barron Jr./  
Supervisory Patent Examiner, Art Unit 2432